

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ESPN, INC.,

Plaintiff,

v.

QUIKSILVER, INC.,

Defendant.

QUIKSILVER, INC.,

Counterclaimant,

v.

ESPN, INC.,

Counterdefendant.

08 Civ. 4222 (CM) (MHD)
ECF Case

**DEFENDANT AND
COUNTERCLAIMANT
QUIKSILVER, INC.'S STATEMENT
OF COMPLIANCE WITH RULE 6
OF JUDGE MCMAHON'S RULES
GOVERNING ELECTRONIC
DISCOVERY**

Pursuant to Rule 6 of Judge McMahon's Rules Governing Electronic Discovery, defendant and counterclaimant Quiksilver, Inc. ("Quiksilver") hereby certifies that its Retention Coordinators have implemented the required procedures of that Rule, by taking the following steps:

A. The Retention Coordinators sent litigation hold letters to the identified custodians, and implemented the provisions of Quiksilver's Litigation Hold Policy.

B. The Retention Coordinators revised the settings of the email systems, in accordance with Quiksilver's Litigation Hold Policy, to ensure that 1) the emails of the custodians listed above are not deleted in the ordinary course of business, and 2) the electronic documents of those individuals will not be altered.

C. The Retention Coordinators reviewed the criteria in Quiksilver's MailFrontier program for spam/virus filtering to ensure that only non-responsive emails and attachments will be filtered out by those systems.

Dated: Costa Mesa, California
July 9, 2008

LATHAM & WATKINS LLP

By: /s/ Mark A. Finkelstein
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Attorneys for Defendant
and Counterclaimant
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CERTIFICATE OF SERVICE

I hereby certify that on July 9, 2008, I caused the attached document to be electronically transmitted to the Clerk's Office using the CM/ECF System.

I further certify that on this same date, I caused the attached document to be hand delivered as a Chambers Copy to:

Hon. Colleen McMahon
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl St., Room 640
New York, NY 10007

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on July 9, 2008.

/s/ Mark A. Finkelstein
Mark A. Finkelstein